

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:04CV136

EARNESTINE SHEPHERD,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<u>ORDER</u>
	)	
METROPOLITAN LIFE INSURANCE	)	
COMPANY,	)	
	)	
Defendant.	)	
_____	)	

THIS MATTER is before the Court *sua sponte* to continue the trial from the November 2005 term in the Asheville Division.

A recommendation as to the disposition of the parties' motions for summary judgment has been received from the Magistrate Judge; this Court will not complete its review of the Memorandum and Recommendation and the motions in time for the parties to adequately prepare for trial for the November 2005 term.

IT IS, THEREFORE, ORDERED that the Clerk calendar this case for trial during the Court's January 2006 term in the Asheville Division.

**Signed: September 23, 2005**

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

